

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
KML LAW GROUP, P.C.
701 Market Street, Suite 5000
Philadelphia, PA 19106
Bank of America, N.A.

In Re:

Jason Dyer, debtor
David A. Vallette, co-debtor



Order Filed on December 22, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No: 21-17571 VFP


Chapter: 13

Judge: Vincent F. Papalia

CONSENT ORDER VACATING STAY

The relief set forth on the following pages is hereby **ORDERED**.

DATED: December 22, 2022



Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: Jason Dyer

Case No: 21-17571 VFP

Caption of Order: CONSENT ORDER VACATING STAY

This matter, having been brought before the Court by Denise Carlon, Esq., KML Law Group, P.C., attorneys for Secured Creditor, Bank of America, N.A., upon a consent order to vacate the automatic stay as to real property known as 425 Barbour Street, North Adams MA 01247, and with the consent of Melinda D. Middlebrooks, Esq., counsel for the Debtor, Jason Dyer.

It is hereby **ORDERED, ADJUDGED** and **DECREED** that the automatic stay as to 425 Barbour Street, North Adams MA 01247 hereby vacated to permit Secured Creditor to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue its rights in 425 Barbour Street, North Adams MA 01247; and

It is further **ORDERED, ADJUDGED** and **DECREED** that such relief is as to the property only, does not extend to any action to establish personal liability of the Debtor under the terms of the note, but does allow Secured Creditor to proceed against Debtor in the state court foreclosure action to the extent required by law in order to obtain title to the subject property; and

It is further **ORDERED, ADJUDGED** and **DECREED** that Secured Creditor, its successors or assigns, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives. Additionally, any purchaser of the property at Sheriff's Sale or their assign, may take any legal action for enforcement of its right to possession of the property; and

It is further **ORDERED, ADJUDGED** and **DECREED** that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the bankruptcy code; and

It is further **ORDERED, ADJUDGED** and **DECREED** that the Movant shall serve this order on the Debtor and Trustee when entered.

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Debtor: Jason Dyer

Case No: 21-17571 VFP

Caption of Order: CONSENT ORDER VACATING STAY

I hereby agree and consent to the above terms and conditions:

Dated: 12/21/2022

/s/ **Denise Carlon**

DENISE CARLON, ESQ., ATTORNEY FOR SECURED
CREDITOR

I hereby agree and consent to the above terms and conditions:

Dated: 12/21/2022

/s/ **Melinda D. Middlebrooks**

MELINDA D. MIDDLEBROOKS, ESQ., ATTORNEY FOR DEBTOR

In re:
Jason Dyer
Lauren Dyer
Debtors

Case No. 21-17571-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Dec 23, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
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+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
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Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 25, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Jason Dyer, Lauren Dyer, 3D Pacific Drive, Winfield Park, NJ 07036-6669

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 25, 2022

Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 23, 2022 at the address(es) listed below:

Name	Email Address
Angela Nascondiglio Stein	on behalf of Debtor Jason Dyer nascondiglio@middlebrooksshapiro.com
Angela Nascondiglio Stein	on behalf of Joint Debtor Lauren Dyer nascondiglio@middlebrooksshapiro.com
Denise E. Carlon	on behalf of Creditor BANK OF AMERICA N.A. dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jessica M. Minneci	on behalf of Debtor Jason Dyer jminneci@middlebrooksshapiro.com
Jessica M. Minneci	on behalf of Joint Debtor Lauren Dyer jminneci@middlebrooksshapiro.com
Marie-Ann Greenberg	

District/off: 0312-2

User: admin

Page 2 of 2

Date Rcvd: Dec 23, 2022

Form ID: pdf903

Total Noticed: 1

magecf@magtrustee.com

Melinda D. Middlebrooks

on behalf of Debtor Jason Dyer middlebrooks@middlebrooksshapiro.com melindamiddlebrooks@gmail.com

Melinda D. Middlebrooks

on behalf of Joint Debtor Lauren Dyer middlebrooks@middlebrooksshapiro.com melindamiddlebrooks@gmail.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 9